

ATTORNEY OR DEFENDANT WITHOUT ATTORNEY (NAME, ADDRESS) MR MICHAEL J. NISSEN REGISTER NO: 02508151 CIBOLA COUNTY CORRECTIONS CENTER POST OFFICE BOX, 3540 MILAN, NEW MEXICO 87021	RESERVED FOR CLERKS FILE <b>FILED</b> UNITED STATES DISTRICT COURT ALBUQUERQUE, NEW MEXICO  AUG 1 2019  MITCHELL R. ELFERS CLERK
UNITED STATES DISTRICT COURT ATTN: HONORABLE JAMES O. BROWNING 333 LOMAS BLVD NW ALBUQUERQUE, NEW MEXICO 87102	
DEFENDANT: MICHAEL J. NISSEN 03/08/1965	CASE# 19 77 JB
PROOF OF SERVICE BY MAIL	

1. I AM OVER THE AGE OF 18 AND NOT A PARTY TO THIS ACTION.  
 2. I SERVED THE FOLLOWING, <sup>DECLARATIONS</sup> IN SUPPORT OF MOTIONS TO DISMISS, <sup>ET AL...</sup>  
 3. I SERVED A COPY OF THE DOCUMENTS 7-23-2019 AS FOLLOWS,  
 (DATE)

☒ BY MAIL: I SERVED THE DOCUMENTS BY ENCLOSING THEM IN AN ENVELOPE AND DEPOSITING THE SEALED ENVELOPE WITH THE UNITED STATES POSTAL SERVICE WITH THE POSTAGE FULLY PREPAID TO THE PERSON(S) SHOWN BELOW:

UNITED STATES DISTRICT COURT  
 ATTN: HONORABLE JAMES O. BROWNING  
 333 LOMAS BLVD NW  
 ALBUQUERQUE, NEW MEXICO 87102

4. I AM

☒ NOT A REGISTERED NEW MEXICO PROCESS SERVER.

5. MY NAME, ADDRESS, TELEPHONE NUMBER.

PAUL G. CARRILLO, JR.  
 6503 KARLSON DR. N.E.  
 ALBUQUERQUE, NEW MEXICO 87113 505-917-7777

6. I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF NEW MEXICO THAT THE FOREGOING IS TRUE AND CORRECT,

DATE: 7-23-2019



OFFICIAL SEAL  
 Derk A Jones  
 NOTARY PUBLIC-State of New Mexico

My Commission Expires 9-11-22

PAUL G. CARRILLO, JR.

(TYPE OR PRINT NAME OF PERSON  
 WHO SERVED THE PAPERS)

(SIGNATURE OF PERSON WHO  
 SERVED THE PAPERS)

PROOF OF SERVICE BY MAIL

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 DISTRICT OF NEW MEXICO  
4

5 UNITED STATES OF AMERICA,  
6 PLAINTIFF  
7

DATE:

8 VS

DECLARATION IN SUPPORT OF  
9 MOTIONS TO DISMISS, ETAL...  
10

11 MICHAEL JAMES NISSEN,  
12 DEFENDANT  
13  
14  
15

CASE # 19 77 JB

16 GREETINGS AND SALUTATIONS,

17 I MICHAEL J. NISSEN, DEFENDANT IN  
18 THE ABOVE ENTITLED ACTION, HEREBY GIVES  
19 THIS VOLUNTARY DECLARATION AND SO DECLARES  
20 THE FOLLOWING -

21 THY FEDERAL UNITED STATES  
22 CONSTITUTION IS THE SUPREME LAW OF THE  
23 LAND. AS STATED IN STATUTORY WRITTEN LAW  
24 OF THE FEDERAL PREAMBLE ARTICLE VI IT  
25 CLEARLY STATES THAT

26 1) I SHALL ENJOY LEGAL SUPERIORITY  
27 OVER ANY CONFLICTING PROVISION OF A  
28 STATE CONSTITUTION OR LAW. THIS INCLUDES

1 THE STATE OF DISTRICT OF COLUMBIA, THE  
2 FEDERAL STATE OR GOVERNMENT/CORPORATION,  
3 WHICH ALL JUDGES IN EVERY STATE ARE  
4 BOUND TO, REGARDLESS OF STATE LAW TO THE  
5 CONTRARY. FEDERAL STATUTES ARE AS DEFINED  
6 IN THE BLACKS LAW DICTIONARY, OR  
7 BALLENTINES LAW LIBRARY, UNDER  
8 "UNCONSTITUTIONAL STATUTE", IS AS FOLLOWS,  
9 A SELF CONTRADICTING EXPRESSION, SINCE  
10 A STATUTE IN CONFLICT WITH THE FEDERALLY  
11 PROTECTED UNITED STATES CONSTITUTION, IS  
12 NOT LAW. IT IS WHOLLY VOID AND AS  
13 INOPERATIVE IN LEGAL CONTEMPLATION, AS  
14 IF IT HAD NEVER BEEN PASSED. NOTWITH-  
15 STANDING IT, HAS THE FORM AND NAME OF  
16 LAW.

17 2) WHEN A STATUTE IS ADJUDGED  
18 TO BE UNCONSTITUTIONAL, IT IS AS IF IT  
19 HAD NEVER BEEN. RIGHTS CANNOT BE BUILT  
20 UP UNDER IT. CONTRACTS WHICH DEPEND  
21 UPON IT FOR THEIR CONSTRUCTION ARE VOID.  
22 IT CONSTITUTES A PROTECTION TO NO ONE  
23 WHO HAS ACTED UNDER IT. NO ONE CAN BE  
24 PUNISHED FOR HAVING REFUSED OBEDIENCE  
25 TO IT, BEFORE THE DECISION WAS MADE.  
26 WHAT IS TRUE OF AN ACT VOID IN TOTO (SIC),  
27 IS TRUE ALSO AS TO ANY PART OF AN ACT  
28 WHICH IS FOUND TO BE UNCONSTITUTIONAL.

1 WHICH CONSEQUENTLY IS TO BE REGARDED AS  
2 HAVING NEVER AT ANY TIME BEEN PASSED AND  
3 IN LEGAL EFFECT.

4 3) AS USED IN THE UNITED STATES  
5 CODE, THE TERM "UNCONSTITUTIONAL", HAS  
6 REFERENCE TO THE FEDERALLY PROTECTED  
7 UNITED STATES CONSTITUTION, NOT A STATE  
8 CONSTITUTION. 16 AM J2D CONST L §177;  
9 RERAHRER (CL KAN) 43 F 556. 3. ANNO; 83  
10 L. ED 1195.

11 THE FIRST FEDERALLY PROTECTED  
12 AMENDMENT IN THE BILL OF RIGHTS OF  
13 THE UNITED STATES CONSTITUTION STATES,  
14 "CONGRESS SHALL MAKE NO LAW RESPECTING  
15 AN ESTABLISHMENT OF RELIGION, OR  
16 PROHIBITING THE FREE EXERCISE THEREOF;  
17 OR ABRIDGING THE FREEDOM OF SPEECH, OR  
18 OF THE PRESS; OR THE RIGHT OF THE  
19 PEOPLE PEACEABLY TO ASSEMBLE, AND TO  
20 PETITION THE GOVERNMENT FOR A REDRESS  
21 OF GRIEVANCES". IN ADDITION, THE KEY  
22 WORD USED IN THE FIRST AMENDMENT IS  
23 "ABRIDGING" WHICH NO FEDERAL STATUTE  
24 CAN SUPERCEDE OR HAVE SUPERIOR RULE  
25 OVER THE FEDERALLY PROTECTED UNITED  
26 STATES CONSTITUTION. MY FEDERAL RIGHTS  
27 ARE BLANTENTLY AND SHAMEFULLY BEING  
28 EXTORTED FROM MY IN-PERSONAM.

1 UNDER UNCONSTITUTIONAL FEDERAL STATUTES,  
2 WHICH ARE WHOLLY VOID AND AS INOPERATIVE  
3 IN LEGAL CONTEMPLATION, AS IF IT HAD  
4 NEVER BEEN PASSED, NOTWITHSTANDING  
5 IT HAS THE FORM AND NAME OF LAW.

6 IN REGARDS TO THE MOTION TO DISMISS  
7 THE INDICTMENT DUE TO LACK OF JURISDICTION,  
8 IS JURISDICTION OF SUBJECT MATTER AND  
9 THE PREPONDERENCE OF EVIDENCE LACKING  
10 IN THE FOLLOWING, CASE LAW;  
11 UNITED STATES V. OKENDINE, 531 F.2D 957,  
12 957 (9<sup>th</sup> CIR 1976), A CONVICTION FOR  
13 FEDERAL EXTORTION UNDER SECTION 875(c),  
14 WHICH REQUIRES, INTERSTATE COMMUNI-  
15 CATIONS, AND PROOF THAT THE THREATING  
16 COMMUNICATION WAS ACTUALLY TRANSMITTED  
17 ACROSS STATE LINES. MY CELL PHONE NUMBER  
18 (505) 819-1806 ON CALLER ID, CLEARLY  
19 STATES MY CALL WAS MADE FROM  
20 ALBUQUERQUE, NM, TO A (505) PHONE NUMBER  
21 IN ALBUQUERQUE, NM IN BERNALILLO COUNTY.  
22 THE PHONE CALL SHOULD NOT BE CONSTRUED  
23 AS MY INTENTIONAL USING A REPEATER IN  
24 BELLVUE, WA, OR PLANO, TX, AS TWO SO  
25 CALLED CALL SUMMARY'S ALLEDGE. THIS IS  
26 BEYOND MY CONTROL WHEN A CELL PHONE  
27 CARRIER TAKES IT UPON THEMSELVES TO  
28 ROUTE CALLS ACROSS STATE LINES.


1 I WAS FORCED OR ENTRAPPED WITHOUT MY  
2 PRESENT KNOWLEDGE, OR CONSENT TO INTEND  
3 TO CROSS STATE LINES OF THE UNION,  
4 WHICH ARE NOT FEDERAL TERRITORY,  
5 STATES OR LINES IN FEDERAL POSSESSION  
6 UNDER UNCONSTITUTIONAL STATUTES.  
7 FEDERALLY PROTECTED UNITED STATES  
8 CONSTITUTION PROTECTS MY EQUAL  
9 RIGHTS OF PROTECTION, DUE PROCESS OF  
10 LAW FROM THESE EGREGIOUS VIOLATIONS  
11 WITHOUT MY CONSENT, KNOWLEDGE OR  
12 INTENT. THIS IS CLEARLY FEDERAL  
13 GOVERNMENT / CORPORATION INTRUSION.  
14 THEY ARE USING VOID AND INOPERATIVE  
15 LEGAL LAW AGAINST ME AS THE  
16 DEFENDANT. MY FEDERALLY PROTECTED  
17 RIGHTS UNDER THE ENACTED LAWS OF THE  
18 UNITED STATES CONSTITUTION ARE BEING  
19 MALFEASOUSLY VIOLATED AND DISREGARDED  
20 AT MY EXPENSE. MY DUE PROCESS OF  
21 LAW IS ALSO BEING VIOLATED BY A  
22 HEINOUS, GROTESQUE DE FACTO COMPETENT  
23 COURT.

24 IN CLOSING MOTIONS TO DISMISS  
25 ALLEDGED INDICTMENTS, IN VIOLATION  
26 OF FREEDOM OF SPEECH, LACK OF JURISDICTION  
27 SHOULD BE DISMISSED WITH PREJUDICE.  
28 I HAVE NOT COMMITTED OR VIOLATED

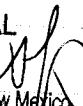
ANY FEDERALLY PROTECTED CONSTITUTIONAL  
ENACTED LAWS, WHICH I AM GUARANTEED,  
I HAVE EQUAL PROTECTION UNDER THE  
FEDERAL UNITED STATES CONSTITUTION.  
THE PROSECUTION CANNOT PROVE ITS  
CASE BY A PREPONDERANCE OF THE EVIDENCE  
MUCH LESS BEYOND A REASONABLE DOUBT.  
THE PROSECUTION HAS VIOLATED ENACTED  
LAWS OF THE FEDERALLY PROTECTED  
CONSTITUTION. THEREFORE MOTIONS TO  
DISMISS INDICTMENTS WITH PREJUDICE  
SHOULD BE GRANTED AND SET FORTHWITH.

I, MICHAEL J. NISSEN, THE DEFENDANT,  
DOES DECLARE UNDER PENALTY OF PERJURY  
UNDER THE LAW OF THE UNITED STATES  
CONSTITUTION, THAT THE FOREGOING IS TRUE  
AND CORRECT TO THE BEST OF MY KNOWLEDGE  
AND ABILITY

SIGNED THIS 23 DAY OF July,  
2019, IN MILAN, CIBOLA COUNTY, NEW MEXICO,  
IN THE UNITED STATES OF AMERICA.

RESPECTFULLY SUBMITTED,  
MICHAEL J. NISSEN   
DEFENDANT



OFFICIAL SEAL  
Derk A Jones   
NOTARY PUBLIC-State of New Mexico

My Commission Expires 7-11-22